UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _26 February 2004_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-27_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-27_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on _24 May 2004_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-27 are pending in this application.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   **Claims 1-3, 5, 6, 8-12, 14-20, 22, 23 and 25-27 are rejected under 35**

U.S.C. 102(b) as being anticipated by Mukai (US 6,466,329 B1).

4.   In regards to claims 1 and 17, Mukai teaches a method **(Figs. 2, 3 and 5)**

and a computer-readable medium for storing program data **(Fig. 1)**, wherein the

program data comprises executable instructions for implementing a method in a

computing device **(Figs. 2, 3 and 5, the method is enacted by various**

hardware modules that are governed by executable code) for providing page

description language ("PDL") encapsulated image data from an imaging device

(Fig. 1, Objects 1, 22 and 85; Col. 8, Lines 14-37; Col. 9, Lines 8-20) that

includes a scanner **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**,

the method comprising: scanning an image using the scanner to produce image

data **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**; obtaining

document formatting inputs **(Fig. 1, Object 500, operator control panel; Col. 9,**

Lines 36-44); encapsulating the image data in a page description language using

the document formatting inputs for document formatting **(Col. 9, Lines 31-44)**,

wherein the encapsulating occurs at the imaging device **(Fig. 1, Objects 1, 22**

and 85; Col. 8, Lines 14-37; Col. 9, Lines 8-20); and transmitting the page

description language to a computing device from the imaging device **(Fig. 1,**

Object 600, network interface; Col. 7, Lines 19-22, the PDL based image

data is transferred to a database server; Col. 9, Lines 31-35).

5.   In regards to claims 2 and 19, Mukai teaches the document formatting

inputs are obtained from a control panel on the imaging device **(Fig. 1, Object**

500, operator control panel; Col. 9, Lines 36-44).

6.   In regards to claims 3 and 20, Mukai teaches the document formatting

inputs are obtained from a local user interface **(Fig. 1, Object 500, operator**

control panel; Col. 9, Lines 36-44).

7.   In regards to claims 5, 12 and 22, Mukai teaches the image data is

encapsulated in the page description language such that the image is framed into

a document **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 36-44;**

Col. 9, Lines 31-35, the formatted image is placed into PDL format).

8.   In regards to claims 6 and 23, Mukai teaches the imaging device is a

multi-function peripheral **(Fig. 1, Object 1, digital multi-function peripheral)**.

9. In regards to claims 8, 14 and 25, Mukai teaches the imaging device comprises a multi-function peripheral **(Fig. 1, Object 1, digital multi-function peripheral)**, wherein the document formatting inputs are obtained from a control panel on the multi-function peripheral **(Fig. 1, Object 500, operator control panel; Col. 9, Lines 36-44)** and wherein the control panel is also used for a user input for a copy function of the multi-function peripheral **(Col. 9, Lines 36-44)**.

10. In regards to claims 9, 15 and 26, Mukai teaches the page description language is a language selected from the group consisting of a portable document format (PDF), postscript (PS), printer control language (PCL), HP GL/2, IBM IPDS, IBM SCS, Epson EscP and DDIF **(Col. 2, Lines 33-42)**.

11. In regards to claims 10, 16 and 27, Mukai teaches the page description language comprises document wide properties, page delimitation properties, page properties and one or more drawing elements **(Col. 2, Lines 33-43; Col. 9, Lines 31-44; the formatting inputs are placed onto the scanned document which is then converted into PDL format therefore retaining the attributes of the formatting inputs)**.

12. In regards to claim 11, Mukai teaches an imaging device that comprises a scanner **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**, wherein the imaging device provides page description language ("PDL") encapsulated image

data **(Fig. 1, Objects 1, 22 and 85; Col. 8, Lines 14-37; Col. 9, Lines 8-20)**, the

imaging device comprising: a processor for control of the imaging device **(Fig. 1,**

Objects 200, 300, 700 and 800); memory in electronic communication with the

processor **(Fig. 1, Object 90)**; a scanner in electronic communication with the

processor **(Fig. 1, Object 400, digital scanner; Col. 8, Lines 38-46)**; a control

panel for operation of the imaging device by a user, wherein the control panel is

in electronic communication with the processor for receiving user inputs **(Fig. 1,**

Object 500, operator control panel; Col. 9, Lines 36-44); and executable

instructions executable by the processor **(Figs. 2, 3 and 5, the method is**

enacted by various hardware modules that are governed by executable

code), wherein the executable instructions are configured to implement a method

comprising: scanning an image using the scanner to produce image data **(Fig. 1,**

Object 400, digital scanner; Col. 8, Lines 38-46); obtaining document

formatting inputs from the control panel **(Fig. 1, Object 500, operator control**

panel; Col. 9, Lines 36-44); and encapsulating the image data in a page

description language using the document formatting inputs for document

formatting **(Col. 9, Lines 31-44)**, wherein the encapsulating occurs at the

imaging device **(Fig. 1, Objects 1, 22 and 85; Col. 8, Lines 14-37; Col. 9, Lines**

8-20).

13.   In regards to claim 18, Mukai teaches the image data is obtained from a

scanner of the imaging device **(Fig. 1, Object 400, digital scanner; Col. 8,**

Lines 38-46).

Claim Rejections - 35 USC § 103

14.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

15.   **Claims 4 and 21 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Mukai (US 6,466,329 B1), as applied to claims 1 and 17,

in view of Lavender et al. (US 2002/0114021 A1).

16.   In regards to claims 4 and 21, Mukai teaches the document formatting

inputs are obtained from a user interface **(Fig. 1, Object 500, operator control**

panel; Col. 9, Lines 36-44).

It is noted however, that Mukai does not specifically teach the document

formatting inputs are obtained from a <u>remote</u> user interface.

In analogous art, Lavender et al. (hereafter Lavender) teaches the

document formatting inputs are obtained from a remote user interface **(Fig. 1,**

Object 22; [0018], scanner computer is a remote user interface that sends

parameters to the scanner; [0014]).

It would have been obvious to one of ordinary skill in the art, at the time of

the invention, to modify Mukai by receiving document formatting inputs via a

remote user interface, as taught by Lavender, in order to allow a user to control

the input parameters of the imaging device from a remote location **(Lavender:**

[0018]), therefore making the formatting input operation of the imaging device

independent of geographic constraints.

17.   **Claims 7, 13 and 24 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Mukai (US 6,466,329 B1), as applied to claims 1, 11 and

17, in view of Bonk et al. (US 5,493,634).

18.   In regards to claims 7, 13 and 24, Mukai teaches the document formatting

inputs comprise a page size input, a scale input, a placement input, a pagination

input, a page delimitation input, an orientation input and a margins input **(Col. 9,**

Lines 36-44).

It is noted however, that Mukai does not specifically teach a number of

images per page input, a page order input, a document style input, a post

collation operations input.

In analogous art, Bonk et al. (hereafter Bonk) teaches a number of images

per page input, a page order input, a document style input, a post collation

operations input **(Figs. 7 and 13)**.

It would have been obvious to one of ordinary skill in the art, at the time of

the invention, to modify Mukai by adding additional document formatting inputs,

as taught by Bonk, in order to increase the user's control of the final output of the

scanned document within the apparatus. Further, both Mukai and Bonk are in

the same field of endeavor of printing machines that use PDL based information

to print **(Mukai: Fig. 1; Bonk: Figs. 1-3B)**.

Conclusion

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to JAVIER J. RAMOS whose telephone number

is (571) 270-3947. The examiner can normally be reached on Monday to

Thursday - 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Mark K. Zimmerman can be reached on (571) 272-7653.

The fax phone number for the organization where this application or proceeding

is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

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free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/J. J. R./
Examiner, Art Unit 2625

/Mark K Zimmerman/
Supervisory Patent Examiner, Art Unit 2625